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OFFICE OF PETITIONS

In re Application of :
Wolfgang Pusch et al. :
Application No. 10/009,721 :
Filed: March 4, 2002 : DECISION ON PETITION
Attorney Docket No. A34854-PCT- : UNDER 37 C.F.R. §1.137(B)
USA :
Title: METHOD AND DEVICE FOR :
DETECTING THE DIRECTION OF :
MOVEMENT OF A MOBILE DATA :
MEMORY, ESPECIALLY IN AN :
IDENTIFICATION SYSTEM :

This is a decision on the petition filed May 30, 2006, pursuant to 37 C.F.R. §1.137(b)¹, to revive the above-identified application.

The above-identified application became abandoned for failure to reply within the meaning of 37 C.F.R §1.113 in a timely manner to the final Office action mailed June 29, 2005, which set a

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- 1 A grantable petition pursuant to 37 C.F.R §1.137(b) must be accompanied by:
- (1) The reply required to the outstanding Office action or notice, unless previously filed;
 - (2) The petition fee as set forth in § 1.17(m);
 - (3) A statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional, and;
 - (4) Any terminal disclaimer (and fee as set forth in § 1.20(d)) required pursuant to paragraph (d) of this section.

shortened statutory period for reply of three months. An after-final amendment was received on October 3, 2005, containing a certificate of mailing dated September 29, 2005. An advisory action was mailed on May 4, 2006. No extensions of time under the provisions of 37 C.F.R. §1.136(a) were obtained, and no further responses were received. Accordingly, the above-identified application became abandoned on September 30, 2005. A notice of abandonment was mailed on May 23, 2006.

With the present petition, Petitioner has submitted the petition fee and the proper statement of unintentional delay. Petitioner has further included a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 and the associated fee.

No terminal disclaimer is required. The RCE has been accepted as the required reply under 37 C.F.R. §1.137(b)(1). The concurrently submitted amendment shall serve as the required submission.

As such, the petition under 37 C.F.R. §1.137(b) is **GRANTED**.

The Technology Center will be notified of this decision. The Technology Center's support staff will notify the Examiner of this decision, so that the amendment of May 30, 2006 can be processed.

Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225². All other inquiries concerning examination procedures or status of the application should be directed to the Technology Center.



Paul Shanoski
Senior Attorney
Office of Petitions
United States Patent and Trademark Office

² Petitioner will note that all practice before the Office should be in writing, and the action of the Office will be based exclusively on the written record in the Office. See 37 C.F.R. §1.2. As such, Petitioner is reminded that no telephone discussion may be controlling or considered authority for Petitioner's further action(s).